

Chapter ER-Pers 15

TRANSFER

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Note: Chapter Pers 15 was renumbered Chapter ER-Pers 15, effective March 1, 1983.

ER-Pers 15.01 Definition. A transfer means the permanent appointment of an employee to a different position assigned to a class having the same or counterpart pay rate or pay range as a class to which any of the employee's current positions is assigned. The employee must be qualified to perform the work after customary orientation provided for newly hired workers in such positions.

History: Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. Register, December, 1976, No. 252, eff. 1-1-77; am. Register, February, 1981, No. 302, eff. 3-1-81; am. Register, February, 1983, No. 326, eff. 3-1-83.

ER-Pers 15.02 Authorization by administrator. Authorization by the administrator as required under s. 230.29, Stats., means that the conditions of transfer as defined in s. ER-Pers 15.01, have been met.

History: Cr. Register, October, 1972, No. 202, eff. 11-1-72; r. and rec. Register, February, 1981, No. 302, eff. 3-1-81.

ER-Pers 15.03 Transfer between agencies. An employee who transfers between agencies may be required by the appointing authority to serve a probationary period resulting from the transfer, except that a probationary period shall be required upon transfer to a trainee position. An employee serving such a probationary period or who has transferred under s. ER-Pers 15.07, may be separated from the service without the right of appeal at the discretion of the appointing authority. See s. 230.31, Stats., for provisions relating to the reinstatement eligibility of a person so dismissed.

History: Cr. October, 1972, No. 202, eff. 11-1-72; renum. from Pers 15.04 (1) and am., Register, February, 1981, No. 302, eff. 3-1-81; am. Register, February, 1983, No. 326, eff. 3-1-83.

ER-Pers 15.04 Transfer between different employing units of the same agency. An employee who transfers between different employing units of the same agency may be required by the appointing authority to serve a probationary period, except that a probationary period shall be required upon a transfer to a trainee position. If the transfer is to a position in a different class and no probationary period resulting from the transfer is required, the employee shall immediately attain permanent status in class. An employee who transfers or who is transferred while serving a probationary period may continue in the probationary

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status being served prior to transfer or begin a new probationary period under ER-Pers 15.07.

History: Cr. Register, October, 1972, No. 202, eff. 11-1-72; renum. (2) to be (1) and (2) and am., Register, February, 1981, No. 302, eff. 3-1-81; r. (intro.), renum. (1) and am., renum. (2) to be ER-Pers 15.055 and am. Register, February, 1983, No. 326, eff. 3-1-83.

ER-Pers 15.05 Transfer within the same employing unit. No employee who transfers or who is transferred within the same employing unit either to a position in a different class or to a different position in the same class may be required to serve a probationary period, except that a probationary period shall be required upon transfer to a trainee position.

History: Cr. Register, October, 1972, No. 202, eff. 11-1-72; am. (3), Register, September, 1975, No. 237, eff. 10-1-75; renum. from Pers 15.04 (3) and am., Register, February, 1981, No. 302, eff. 3-1-81; am. Register, February, 1983, No. 326, eff. 3-1-83.

ER-Pers 15.055 Employee removal; status and rights. If a probationary period resulting from a transfer under s. ER-Pers 15.04 or 15.05 is required, the appointing authority, at any time during this period, may remove the employee from the position to which the employee transferred, without the right of appeal. An employee so removed shall be restored to the employee's previous position or transferred to a position for which the employee is qualified in the same pay range or pay rate or a counterpart pay range or pay rate without a break in employment. Any other removal, suspension without pay, or discharge during a probationary period resulting from transfer shall be subject to s. 230.34, Stats.

History: Renum. from Pers 15.04 (2) and am., Register, February, 1983, No. 326, eff. 3-1-83.

ER-Pers 15.06 Pay on transfer. See s. ER-Pers 29.03 (5).

History: Cr. Register, February, 1981, No. 302, eff. 3-1-81.

ER-Pers 15.07 Transfer while serving a probationary period. (1) Employees serving a probationary period may transfer or be transferred to a different position. The probationary period time served prior to such movement shall be carried over if the transfer is within an employing unit. If the transfer is between employing units of the same agency or between agencies the probationary period time served prior to such movement may be carried over at the discretion of the appointing authority.

(2) Where time served in the probationary period may be carried over at the discretion of the appointing authority, the appointing authority shall give written notice to the employee at the time of appointment of the determination whether the probationary period may be carried over. A record of that determination shall be placed in the employee's personnel file.

History: Cr. Register, February, 1981, No. 302, eff. 3-1-81.